



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,442	06/29/2004	John McCoy	McCoy-01	2419
7590		01/25/2008	EXAMINER	
Paul H Ware		DREIDAME, HUNTER M		
8910 2nd Avenue		ART UNIT		
Inglewood, CA 90305		PAPER NUMBER		
		3633		
		MAIL DATE		
		DELIVERY MODE		
		01/25/2008		
		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/500,442	Applicant(s) MCCOY ET AL.	
	Examiner HUNTER M. DREIDAME	Art Unit 3633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-19 is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of the Requirement for Restriction/Election mailed 05 September 2007 in the reply filed on 09 October 2007 is acknowledged. The traversal is found persuasive and therefore all claims are being examined in this Office Action.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the internal coating, residue, coloring agent, temporary seal, and permanent seal must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Art Unit: 3633

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent 6,260,317 to Fisher.

As to claim 1, Fisher discloses a block (10, Fig. 1) comprising a hollow, light transmissive cavity (interior of faces 12, Fig. 1); and an internal coating (lines 44-55, col. 4) inside said cavity.

Note, if Applicant wishes to take the argumentative angle that the coating of Fisher is not on the internal face of the block, but is instead on an interior component, Fisher further discloses in line 50 of column 4 that the internal faces of the block may also be colored.

As to claim 2, Fisher discloses a block in accordance with claim 1 wherein said cavity is translucent (lines 29-30, col. 3).

As to claim 3, Fisher discloses a block in accordance with claim 2 wherein said internal coating is colored (lines 44-55, col. 4).

As to claim 4, Fisher discloses a block in accordance with claim 3 wherein said internal coating is permanently bonded (lines 44-55, col. 4).

As to claim 5, Fisher discloses a block an internally colored block (10; Fig. 1) of glass-like material (lines 21-22, col. 1) comprising a hollow light transmissive cavity (interior of faces 12, Fig. 1); and an internal coating (lines 44-55, col. 4) inside said cavity.

As to claim 6, Fisher discloses the block of claim 5 wherein said glass-like material is glass (lines 21-22, col. 1).

As to claim 7, Fisher discloses the block of claim 6 wherein said cavity is translucent (lines 29-30, col. 3).

As to claim 8, Fisher discloses the block of claim 7 wherein said internal coating is colored (lines 44-55, col. 4).

As to claim 9, Fisher discloses the block of claim 8 wherein said internal coating is permanently bonded (lines 44-55, col. 4).

As to claim 10, Fisher discloses a hollow glass block (10, Fig. 1) having an internal coating inside (lines 44-55, col. 4).

As to claim 11, Fisher discloses a block as in claim 10 further characterized in that said internal coating is colored (lines 44-55, col. 4).

As to claim 12, Fisher discloses a block as in claim 11 further characterized in that said coating is permanently bonded (lines 44-55, col. 4).

Allowable Subject Matter

Claims 13-19 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The combination of the steps of drilling holes in a glass block, cleaning out the residue, introducing a coloring agent, temporarily sealing the drilled holes, rotating the block, draining the excess agent, and permanently resealing the drilled holes is not adequately disclosed in the prior art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNTER M. DREIDAME whose telephone number is (571)272-5177. The examiner can normally be reached on Monday - Friday 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Canfield can be reached on (571)272-6840. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/500,442

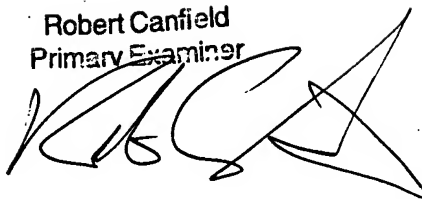
Page 6

Art Unit: 3633

A handwritten signature in black ink, appearing to read "Hunter M. Dreidame".

Hunter Dreidame, Patent Examiner
January 21, 2008

Robert Canfield
Primary Examiner

A handwritten signature in black ink, appearing to read "R. Canfield".